

CITY OF BEULAH

May 20, 2024, 6:30 pm

Beulah City Hall Council Chambers

CITY COUNCIL MEETING

The regular meeting of the Beulah City Council was called to order at 6:30 pm by Mayor Sean Cheatley with Council Members Auston Biles, Eric Hoffer, David Czywczynski, Jason Isaak, Ben Lenzen and Gary Miller present.

Also Present: City Attorney Scott Solem, City Engineer Charles Hankins, Water Supt. Gary Bovkoon, Public Works Supt. Kenny Yeager, Police Chief Frank Senn, City Assessor/Planner Heidi Hamelton, City Auditor Heather Ferebee, Roger Gazur, Kelli Ameling, Beulah Residents.

Pledge of Allegiance.

Miller moved to dispense with the reading of the minutes of the last regular meeting on May 6 and approve as furnished to the Council by email. Biles seconded. Roll call vote found Biles, Miller, Lenzen, Hoffer, Isaak and Czywczynski in favor.

Sarah Wear explained to the council where the city is at on the assessment process and what will need to happen at the Council Hearing. The Assessment Commission will meet tomorrow at the hearing and they have the ability to make alterations and to make corrections to the list that was published. They will then approve and confirm the list. A notice of confirmation will be published in the paper and a hearing will be set for city council. A written appeal can be filed with the City Auditor before that hearing. At the public hearing, the council will hear appeals and objections from the public. The list that is approved by the Assessment Commission will be provided to council and the council has the ability to adjust the list but cannot exceed the benefit amount set by the Assessment Commission on each property. The list is then approved and filed with the auditor and filed with the county in the fall. The council does not need to approve the list that night, it can be approved at a following meeting. NDCC states that the governing body shall confirm the assessment list. The City Council can adjust it within the limits, but the City Council does not have the ability to reject the list.

PUBLIC INPUT

Roger Gazur presented a commentary on the subject of the City Attorney firm from a Planning & Zoning perspective. Gazur commented on items that happened in the past with the City Attorney and the P&Z Commission. The City Attorney has refused to change the format of the Zoning Code as recommended by P&Z. Gazur stated that P&Z manages P&Z affairs, not the City Attorney. The City Attorney firm has refused to support desires of the P&Z that are procedural, not legal. This presentation is based on his opinion, which is that the current City Attorney firm has not been supportive and should have no responsibility for any activities dealing with the P&Z Commission. The P&Z needs legal support, not an adversary.

COUNCIL PORTFOLIOS

Mayor Cheatley

The City Assessor Agreement with Heidi Hamelton was presented to council at a rate of \$1,750 per month. The appointment of the City Assessor happens in September of odd years. Hamelton's appointment ends September of 2025. Hamelton stated the position has taken about 500 hours of work per year. Miller moved to accept the Assessor Agreement as presented. Hoffer seconded. Lenzen questioned the monthly payment, stating it may be better as an hourly rate. There is an imbalance of hours throughout the year because more hours are worked at certain times of the year. Hamelton stated she will keep track of hours worked and report back to the council. Hamelton will check into liability insurance. Roll call vote found Miller, Hoffer, Biles, Isaak and Czywczynski in favor. Lenzen abstained. Motion passed.

City Attorney RFP – Miller recused himself because of his business ties with Scott Solem. Discussion followed on the two firms that submitted proposals. It was stated it is difficult because there is a relationship with Solem Law and they are local, even if Ohnstad Twichell provides a better product. It was stated that a decision should be made by this council to not saddle the new council with it. Hoffer moved to award the RFP to Ohnstad Twichell. Isaak seconded. It was stated that the term would be for one year. It was discussed that municipal court will be difficult by Zoom. Solem stated that he won't take only municipal court. It was questioned what his thoughts are on dividing out duties. Solem commented that he has experience in assessment districts and human resource issues. He stated the council should do what is in the best interests of the city. It was commented that Solem has been unprepared for meetings and there have been some perceived conflicts. Roll call vote found Hoffer, Isaak, Biles, Czywczynski in favor. Miller and Lenzen abstained. Motion passed.

Summit Carbon is requesting a letter of support. Miller moved to approve a letter of support be submitted. Czywczynski seconded. It was commented that this is support based on an economic standpoint, that it will bring more jobs and prosperity to the area. Roll call vote found Miller, Czywczynski, Biles, Lenzen, Hoffer and Isaak in favor.

Council Member Isaak

Date options for the Council Hearing on Special Assessment District #26 were discussed. June 24 at 6:30 may work best.

Memory Park – High Plains Concepts, 7 Arrows Tree Service, Branch Management, Swanson and Youngdale, Marvin Aberle, Jeremy Buchmann and Public Works, Dairy Queen, Heidi Hamelton and her daughters all contributed to the cleanup and update to Memory Park.

Ashley Baker requested a road closure for a block party on June 14 from 5:00 to 9:00 pm.

Council Member Miller

Invoices for the demo of the apartment on Parkway Drive were received. The appliances were supposed to be removed by the owner, Orange Management, and they were not, so there was an additional \$1,280 charge. Miller moved to approve the additional invoice of \$1,280. Hoffer seconded. Roll call vote found Miller, Hoffer, Biles, Lenzen, Isaak and Czywczynski in favor.

Council Member Biles

JDA is agreeable to taking over management of Heritage Park.

Pool Update – There were two large valves at the bottom of the pool that had large gaps where the gaskets had worn away and water was leaking. They were replaced. The Pool Board thanked the Water Dept. for the vac truck. The pool is full, and they will be completing some valve testing.

CITY PERSONNEL

City Auditor

Isaak moved to approve the April financial reports. Miller seconded. Roll call vote found Isaak, Miller, Lenzen, Hoffer, Biles and Czywczynski in favor.

Hoffer moved to approve the Special Event Permit for the Main Bar to serve alcohol at the Rough Riders Motorcycle Club Bash at Riverside Park on June 14-16, 2024, conditional on the Police Chief's approval. Biles seconded. Senn stated they will need to provide a contract for security. Roll call vote found Hoffer, Biles, Miller, Lenzen, Isaak and Czywczynski in favor.

Lenzen moved to approve the local permit for a raffle for Mercer County 4-H at the Mercer County Fairgrounds on July 12, 2024. Miller seconded. Roll call vote found Lenzen, Miller, Biles, Hoffer, Isaak and Czywczynski in favor.

Public Works Superintendent

The one-armed truck is repaired. The sweeper is out for repairs.

Water/Wastewater Superintendent

There was a water break on the construction project today.

City Assessor/Planner

Hamelton thanked the council and looks forward to continuing as the City Assessor.

City Engineer


It was requested Interstate Engineering provide an estimate for a concrete project on Central Ave N and 7th Street. The base estimate is \$149,000 with an additional alternative of \$29,600 for catch basins. BND offers a 2% loan over 20 years. It is recommended that the alternative be added. This intersection receives a lot of water from the Elementary School. It was questioned whether the community block grant could cover any of this project. Asphalt repairs and crack sealing will take up a lot of the street repair budget this year.

Police Chief

The employee ID equipment has arrived. They are considering an auction for impound vehicles soon.

The meeting adjourned at 7:58 pm.


Sean Cheatley, Mayor


Heather Ferebee, City Auditor

5/20/24